

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

JASON WADE VARNER

CASE NO: 10-70188-HDH-13

HEARING DATE: 1/5/2011

HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	CITI	\$3,562.00	016 0 U	CITIBANK NA	\$11,661.00
025 0 U	WILBARGER GENERAL HOSPITAL	\$1,143.35			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	SHAMROCK BANK NA	2002 CHEVROLET PU	\$7,519.08	\$7,436.00	9.00%	16	\$794.12 PAID BY TRUSTEE
009 0	JPMORGAN CHASE BANK NATIONAL ASSOCIATION	DIRECT PMTS BEGIN 5-2010 - 9285 CR 119	\$14,891.58	\$92,260.00			PD DIRECT BY DEBTOR
010 0	COUNTY OF WILBARGER	EST 2010 PROPERTY TAXES - 1530 MAIN & 9285 CR 119 NORTH	\$743.00	\$26,800.00			PD DIRECT BY DEBTOR
011 0	WILBARGER COUNTY APPRAISAL DISTRICT	EST 2010 PROPERTY TAXES - 9285 CR 119 & 1530 MAIN	\$988.77	\$92,260.00			PD DIRECT BY DEBTOR
028 0 *	CITY OF VERNON	2010 PROPERTY TAXES	\$100.30	\$100.30			PD DIRECT BY DEBTOR
Not provided for in confirmed plan. See modification below.							
038 0 *	JPMORGAN CHASE BANK NATIONAL ASSOCIATION	ARREARS THRU 4-2010	\$514.57	\$92,260.00	8.00%	50	\$15.36 PAID BY TRUSTEE
Not provided for in confirmed plan. See modification below.							

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
008 1 U	SHAMROCK BANK NA	\$83.08	012 0 U	CAPITAL ONE BANK USA	\$1,699.17
	SPLIT CLAIM/2002 CHEVY PICKUP			PURCHASES	
013 0 U	ECAST SETTLEMENT CORPORATION	\$2,304.54	015 0 U	ECAST SETTLEMENT CORPORATION	\$3,631.92
	PURCHASES/CHASE BANK USA WASHINGTON MUTUAL			PURCHASES/CITIBANK	

Case 10-70188-hdh13		Doc 24	Filed 12/01/10	Entered 12/01/10 08:15:43	Desc
017 0 U	DISCOVER FINANCIAL SERVICES	\$10,326.12	Page 2 of 4		
	PURCHASES				
019 0 U	PRA RECEIVABLES MANAGEMENT	\$420.27			
	PURCHASES/EXXONMOBIL CITIBANK				
021 0 U	PRA RECEIVABLES MANAGEMENT	\$2,918.75			
	PURCHASES/GEMB WALMART				
023 0 U	PRA RECEIVABLES MANAGEMENT	\$160.32			
	PURCHASES/SEARS PREMIER CARD				
018 0 U	DISCOVER FINANCIAL SERVICES				\$5,119.94
	PURCHASES				
020 0 U	PRA RECEIVABLES MANAGEMENT				\$2,052.51
	PURCHASES/GEMB CHEVRON				
022 0 U	PRA RECEIVABLES MANAGEMENT				\$1,135.14
	PURCHASES/SEARS				
024 0 U	PRA RECEIVABLES MANAGEMENT				\$85.48
	PURCHASES/CITIBANK SHELL				

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The arrears portion of the secured mortgage claim filed by JPMorgan Chase Bank for \$514.57 shall be valued at \$92,260 and paid through the plan at 8% interest over 50 months with a payment of \$15.36 per month.

The secured claim filed by City of Vernon for \$100.30 shall be valued at \$100.30 and paid direct.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/5/2011 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

CAPITAL ONE AMERICAN INFOSOURCE PO BOX 54529 OKLAHOMA CITY OK 73154
CAPITAL ONE BANK USA BY AMERICAN INFOSOURCE LP PO BOX 71083 CHARLOTTE NC 28272
CHASE MANHATTAN MORTGAGE 10790 RANCHO BERNARDO RD SAN DIEGO CA 92127
CHASE PO BOX 15298 WILMINGTON DE 19850
CITI PO BOX 6241 SIOUX FALLS SD 57117
CITIBANK NA ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
CITY OF VERNON C/O PERDUE BRANDON FIELDER COLLINS & MOT PO BOX 8188 WICHITA FALLS TX 76307
CITY OF VERNON PO BOX 1519 VERNON TX 76385
COUNTY OF WILBARGER C/O MCCREARY VESELKA BRAGG & ALLEN PC 700 JEFFREY WAY SUITE 100 PO BOX 1269 ROUND ROCK TX 78680
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054
ECAST SETTLEMENT CORPORATION PO BOX 29262 NEW YORK NY 10087
EXXMBLCITI ATTN: CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
GEMB/CHEVRON 4125 WINWARD PLZ ALPHARETTA GA 30005
GEMB/WALMART PO BOX 981400 EL PASO TX 79998
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
JASON WADE VARNER 9285 CR 119N OKLAUNION TX 76373
JP MORGAN CHASE PO BOX 829009 DALLAS TX 75382
JPMORGAN CHASE BANK NATIONAL ASSOCIATION ATTN OH4-7133 3415 VISION DRIVE COLUMBUS OH 43219
JPMORGAN CHASE MAIL STOP OH-7302 3415 VISION DRIVE COLUMBUS OH 43219
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301
PEGGY VARNER-HOWE 9285 CR 119 N OKLAUNION TX 76373
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
SHAMROCK BANK NA 104 N COBLAKE APACHE OK 73006
SHAMROCK BK 125 N MAIN COALGATE OK 74538
SHELL OIL ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WILBARGER CAD 2808 WILBARGER STREET PO BOX 1519 VERNON TX 76385
WILBARGER COUNTY APPRAISAL DISTRICT C/O MCCREARY VESELKA BRAGG & ALLEN PC 700 JEFFREY WAY SUITE 100 PO BOX 1269 ROUND ROCK TX 78680
WILBARGER GENERAL HOSPITAL PO BOX 361230 BIRMINGHAM AL 35236
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242